

AARON D. FORD
Attorney General
STEPHEN J. AVILLO, Bar No. 11046
Deputy Attorney General
State of Nevada
Public Safety Division
100 N. Carson Street
Carson City, Nevada 89701-4717
Tel: (775) 684-1159
E-mail: savillo@ag.nv.gov

*Attorneys for Defendants
Romeo Aranas, Barbara Cegasvske, James Dzurenda,
William Gittere, Adam Paul Laxalt, Jennifer Nash,
and Brian Sandoval*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LANCE REBERGER,

Plaintiff,

vs.

JAMES DZURENDA, et al.,

Defendants.

Case No. 3:17-cv-00552-RCJ-WGC
**ORDER GRANTING
DEFENDANTS' MOTION FOR EXTENSION
OF TIME TO RESPOND TO PLAINTIFF'S
"MOTION TO ORDER NDOC DIRECTOR
AND HDSP WARDEN CALVIN JOHNSON
PROVIDE LEGAL SUPPLIES FROM LAW
LIBRARY, AND A TABLE FROM
JOHNSON" (ECF No. 30) (FIRST REQUEST)**

Defendants, Romeo Aranas, Barbara Cegasvske, James Dzurenda, William Gittere, Adam Paul Laxalt, Jennifer Nash, and Brian Sandoval, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Stephen J. Avillo, Deputy Attorney General, hereby request a four-day extension of the deadline to respond to Plaintiff's "Motion to Order NDOC Director And HDSP Warden Calvin Johnson Provide Legal Supplies From Law Library, And A Tablet From Johnson" (ECF No. 30) (Motion), filed on February 5, 2021. This Motion for Extension is based on LR IA 6-1, the following Memorandum of Points and Authorities, and all papers and pleadings on file herein.

MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiff filed the Motion on February 5, 2021, making February 19, 2021, the deadline for Defendants to respond. LR 7-2(b). Plaintiff subsequently filed "Supplemental Motion to Order NDOC Director Daniels, HDSP Warden Johnson to Provide Legal Supplies From Law Library, And A Tablet

///

1 For Legal Research” (ECF No. 34) (Supplemental Motion). The Supplemental Motion was filed on
2 February 9, 2021, making February 23, 2021, the deadline for Defendants to respond. LR 7-2(b).

3 Plaintiff cites F.R.C.P. 15(d) as authority to file a “supplemental motion.” ECF No. 34 at 1-2.
4 F.R.C.P. 15(d) allows for supplemental pleadings, not supplemental motions; a “pleading,” by rule,
5 cannot be a motion. F.R.C.P. 7. The Supplemental Motion, then, is really a separate motion from the
6 original Motion, as opposed to a filing meant to supplement the original Motion. However, the Motion
7 and Supplemental Motion are closely related and request virtually identical relief. *Compare* ECF No.
8 30 at 3:22-28 and ECF No. 34 at 4:16-26.

9 Because the two filings are so closely related, Defendants intend to address the filings in one
10 response. Defendants request a four-day extension of time, until February 23, 2021, to respond to the
11 original Motion, so that Defendants can properly address both filings by the deadline to respond to the
12 Supplemental Motion.

13 DATED this 19th day of February, 2021.

14 AARON D. FORD
15 Attorney General

16 By: /s/ Stephen J. Avillo
17 STEPHEN J. AVILLO, Bar No. 11046
18 Deputy Attorney General

19 *Attorneys for Defendants*
20
21

22 IT IS SO ORDERED.

23 DATED: February 22, 2021.

24 William G. Cobb

25 UNITED STATES MAGISTRATE JUDGE
26
27
28